

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAWNYELL FLYNN,
Petitioner
v.
WILLIAM REUBART, *et al.*
Respondent

Case No. 2:25-cv-00340-RFB-BNW

ORDER

Petitioner Dawnyell Flynn, a Nevada prisoner, initiated this action by filing a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 (ECF No. 1-1) but neither paid the standard \$5 filing fee for habeas matters nor submitted a complete Application for Leave to Proceed *In Forma Pauperis* (“IFP”) for incarcerated litigants, with required supporting documentation. See 28 U.S.C. § 1914(a); § 1915(a); LSR 1-1, LSR 1-2.

To proceed in a habeas action without paying the standard \$5 filing fee, LSR 1-1 and 28 U.S.C. § 1915 provide that a prisoner must submit the Court's IFP application for incarcerated litigants. Additionally, LSR 1-2 and § 1915 require a Petitioner submit with the IFP application: (1) a financial certificate signed by an authorized officer of the institution in which she is incarcerated,¹ (2) a copy of her inmate trust account statement for the six-month period prior to filing, and (3) a signed financial affidavit showing an inability to prepay fees and costs or give

²⁵ ¹ Local Special Rule 1-2 states:

When submitting an application to proceed *in forma pauperis*, an incarcerated or institutionalized person must simultaneously submit a certificate from the institution certifying the amount of funds currently held in the applicant's trust account at the institution and the net deposits in the applicant's account for the six months prior to the date of submission of the application. If the applicant has been at the institution for fewer than six months, the certificate must show the account's activity for this shortened period.

1 security for them. Thus, Petitioner will have 30 days from the date of this Order to either pay the
2 \$5 filing fee or submit an IFP application with all required attachments.

3 Therefore, **IT IS HEREBY ORDERED:**

4 1. The Clerk of Court is kindly directed to **MAIL** by U.S. postage Petitioner
5 Dawnyell Flynn a blank form Application to Proceed in Forma Pauperis for
6 incarcerated litigants with instructions.

7 2. Within 30 days of the date of this Order, Petitioner must either (1) pay the \$5
8 standard filing fee, or (2) file an IFP application along with (a) a financial
9 certificate executed and signed by the Petitioner and an authorized prison
10 official, (b) a financial acknowledgement executed and signed by the Petitioner,
11 and (c) a statement of her inmate trust account for the six-month period prior to
12 filing.

13 3. Petitioner's failure to comply with this Order by paying the standard \$5 filing
14 fee or submitting a complete IFP application within 30 days of the date of this
15 Order will result in dismissal of this action without prejudice and without
16 further advance notice.

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18 **DATED:** This 27th day of February, 2025

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE